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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 THERON KENNETH HOLSTON, No. 2:20-CV-2466-DJC-DMC-P  
12 Plaintiff,  
13 v. ORDER  
14 GARCIA,  
15 Defendant.

17 Plaintiff, who is proceeding pro se, brings this civil rights action under 42 U.S.C.  
18 § 1983. Pending before the Court is Plaintiff's renewed motion, ECF No. 81, for access to the  
19 Court's electronic filing system (PACER). Also before the Court is Plaintiff's motion, ECF No.  
20 91, for issuance of a subpoena duces tecum for personnel records from non-party El Dorado  
21 County Sheriff's Office.

22 In his motion for PACER access, Plaintiff states that he is a former prisoner and  
23 asks that he be permitted to file electronically through the Court's PACER system. As with his  
24 prior motion, As required under the Court's local rules, Plaintiff must demonstrate access to a  
25 computer or related technology for reliable electronic filing and electronic notice of filings by  
26 opposing counsel. Plaintiff has failed to make the required showing of such reliable computer  
27 access, and on that basis his request will be denied.

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2                   In his motion for issuance of a subpoena duces tecum, Plaintiff seeks an order  
3                   directing the United States Marshal to serve a subpoena on non-party El Dorado County Sheriff's  
4                   Office for production of personnel records related to Defendant Garcia. Plaintiff's motion, which  
5                   was filed on June 14, 2024, will be denied as untimely because discovery closed on January 23,  
6                   2023. See ECF No. 35 (discovery and scheduling order).

7                   Defendant's pending motion for summary judgment, ECF No. 55, will be  
8                   addressed by separate findings and recommendations.

9                   Accordingly, IT IS HEREBY ORDERED as follows:

10                1. Plaintiff's renewed motion for access to the Court's PACER system, ECF  
11                No. 81, is DENIED.

12                2. Plaintiff's motion for issuance and service of a subpoena duces tecum, ECF  
13                No. 91, is DENIED as untimely.

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15                Dated: October 4, 2024



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DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE

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